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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,272	03/01/2002	John P. Callison	MAG-01C	7883
7590	09/22/2005		EXAMINER	
Montgomery W. Smith 13 Lubberland Dr. Newmarket, NH 03857			YENKE, BRIAN P	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/086,272

Applicant(s)

CALLISON ET AL

Examiner

BRIAN P. YENKE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment/Election.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 72-75, 77, 80-86, 88, 90-92, 95-97 and 154-228 is/are pending in the application.
- 4a) Of the above claim(s) 1-72 and 98-153 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 72-75, 77, 80-86, 88, 90-92, 95-97 and 154-228 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>29 June 05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 154 (155-164, 183-186, 189,190,198, 204-206) and 178 (182, 184), 179, (180-206) and 203 (204-206) are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "preponderance" in claims 154, 178, 179 and 203 is a relative term which renders the claim indefinite. The term "preponderance" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The use of preponderance in the claims, does not provide the scope/limits/bounds of what the claim is entitled/limited to, therefore the claims are rejected for being indefinite. The claims have been examined based upon many (i.e. preponderance) and thus given the broadest interpretation since the term/limitation is not explicitly defined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 72-75, 77, 80-86, 88, 90-92, 95-97 and 154-228 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conemac, US 6,175,440 in view of Hargis et al., US 6,154,259.

In considering claims 72-75, 77, 80, 83, 84, 85, 86, 88, 90-92, 95-97, 154-156, 159, 161-164, 165-169, 172, 177-193, 195-197, 199, 201-216, 221, 225-228

a) the claimed light beams is met where Conemac discloses light sources 200 and 300 which each contain plural columns and rows of diodes (Fig 7)

b) the claimed a scanner... is met by scanner 32 (Fig 2) which deflects the plural light beams simultaneously in a horizontal direction and second scanning element 212 deflects the lines in a vertical direction upon completion of each horizontal scan (Fig 4). Facets of scanner 32 are tilted at different angles to provide plural swaths in different areas of the display screen (col 3, line 14-32).

However, Conemac does not explicitly recite the use of more than 2 light beams/sources, nor the slant (i.e. not adjacent) pattern.

The use of one or more (meeting the claimed 2 or more, 3 or 4 or more light beams) is a conventional feature in projection systems, based upon the need of the system/designer, where a system can comprise one light sources that is separated into the respective color components or multiple beams/sources could be used thereby negating the separation state for each color, thus the examiner takes "OFFICIAL NOTICE" regarding such.

Conemac also does not explicitly recite the conventional feature of slant/diagonal scanning the projection, where Conemac discloses horizontal line by line scanning.

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The option/choice of a system in scanning in a slant, rectangular, triangle are conventional features available in the projection art and thus the examiner relies upon Hargis which discloses the various output options (Fig 16-29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Conemac with discloses a laser beam display system by allow the designer/system utilize more laser beams if desired and by allowing the system to scan in conventional directions (i.e. slant) as disclosed by Hargis, in order to provide a laser projection system which offers all the conventional features which are readily available and thus gives the user freedom in display options.

In considering claim 158, 160, 170, 171, 174-176, 194, 198, 200, 217-220, 222-224, See Fig 7 for fiber optic head/coupler.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure—see newly cited references on attached form PTO-892.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John W. Miller, can be reached at (571)272-7352.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571)273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is
(703)305-HELP.

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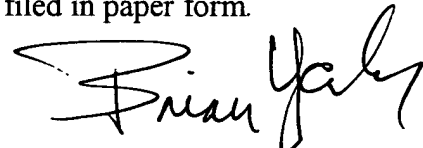
The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and submit information and applications. The tools currently available in the Patent EBC are Patent Application Information Retrieval (PAIR) and the Electronic Filing System (EFS).

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PAIR (<http://pair.uspto.gov>) provides customers direct secure access to their own patent application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents securely via the Internet. EFS is a system for submitting new utility patent applications and pre-grant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic submission package. EFS also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.


B.P.Y.

16 September 2005


BRIAN YEUNG
PRIMARY EXAMINER